

IN THE UNITED STATES COURT FOR THE DISTRICT OF UTAH
CENTRAL DIVISION

PHILLIP M. ADAMS, et al.,
Plaintiffs,

vs.

GATEWAY, INC., f/k/a GATEWAY 2000,
INC., a Delaware corporation,
Defendant.

MEMORANDUM DECISION AND
ORDER DENYING GATEWAY'S
MOTION IN LIMINE TO EXCLUDE
INFRINGEMENT ACCUSATIONS
RAISED BY PLAINTIFF'S
SUPPLEMENTAL CLAIM CHARTS

Case No. 2:02-CV-106 TS


This matter is before the court on Gateway's Motion in Limine to Exclude New Infringement Accusations Raised by Plaintiffs' Supplemental Claim Charts. Having reviewed the entire record, the Court is amused by Gateway's consternation about Adams' lateness by two and one-half months in updating their claim charts in light of Gateway's own history of discovery responses in this case. Further, although Gateway contends that Adams' update of their claim charts was late, the Court finds that the updates were timely under the Magistrate Judge's Orders.¹ It is therefore

¹E.g., Docket Nos. 295 and 326.

ORDERED that Gateway's Motion in Limine to Exclude New Infringement Accusations Raised by Plaintiffs' Supplemental Claim Charts (Docket No. 535) is DENIED.

DATED this 30th day of March, 2006.

BY THE COURT:



TED STEWART
United States District Judge